THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.2251 OF 2006

DATED: 23-01-2007

BETWEEN

B. Hemavathy, W/o. B. Nageshwar Reddy,
R/o. Simhadripuram Post and Mandal,
Kadapa District.

...PETITIONER

AND

The Superintendent of Police, Kadapa
and others.

...RESPONDENTS

ORDER:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents in interfering with the civil disputes of the petitioner as illegal and arbitrary.

2. It is the case of the petitioner that the police are unnecessarily interfering with the civil disputes with regard to the share of the property accrued to her in the family partition.

3. Counter has been filed stating that a complaint has been given by one Smt. Bhumanapalle Rama Thulasi W/o. Sree Rami Reddy resident of Simhadripuram Town, and a case in Cr.No.6 of 2006 for the offence under Sections 324, 354 and 506 of the Indian Penal Code, 1860 against the husband of the petitioner namely, B. Nageshwara Reddy. It is stated that the case is under investigation and four witnesses have been examined and their statements have been recorded. The statements of the witnesses

support the contents of the complaint and the husband of the petitioner is absconding and he has not been arrested so far. It is further stated that the allegations of the petitioner that the police is interfering with her civil disputes and pressurizing her to effect compromise are incorrect and they have been denied. It is further stated that the respondents have not at all interfered with the civil disputes of the petitioner and they have never harassed the petitioner at any point of time.

4. The aforesaid counter discloses that there is no interference by the police in the civil disputes of the petitioner, except registering a case and making investigation on a complaint given against the husband of the petitioner. Therefore, I do not see any merits in the writ petition to grant any relief to the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

January 23, 2007
DSK